

**REMARKS**

The Applicant has received and reviewed the Final Official Action mailed by the Office on 25 May 2006 (the “Final Action”). In so doing, the Applicant noted that the Final Action applied no art to pending claim 2. The Applicant contacted Examiner Reilly by telephone on 26 June 2006 and mentioned this issue. The Examiner suggested filing a response to the Final Action, and that afterwards, he would consider writing another Final Action addressing claim 2 as well. The Applicant thanks the Examiner for his time and courtesy in discussing this matter, and submits this response for consideration.

## Claim Rejections under 35 U.S.C. § 103

Bavadekar, Stumm, and Noble

Claims 1, 3-5, 8-10, 12, 14, 15, 17, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0009571 to Bavadekar (hereinafter, “Bavadekar”) in view of U.S. Patent No. 5,768,528 to Stumm (hereinafter, “Stumm”) and U.S. Patent No. 5,768,528 to Noble, et al. (hereinafter, “Noble”). The Applicant respectfully traverses these rejections.

Turning to **independent claim 1**, the Applicant respectfully disagrees with the stated rejection, but has nonetheless amended the claim as indicated above in order to further prosecution. The Applicant submits that the specification supports the added subject matter under 35 U.S.C. § 112, 1<sup>st</sup> paragraph, at least in Paragraph [0029].

1 For convenience, a portion of independent claim 1 is reproduced here, with  
2 revisions shown in redline:

3 “wherein said information modules register with said stateless module manager, and  
4 wherein the stateless module manager routes said requests to an appropriate one of said plurality  
5 of information modules in accordance with athe type of information requested, wherein the  
6 stateless module manager handles service collisions in which plural information modules are  
7 capable of responding to the requests, such that only one information module processes the  
8 requests, wherein the stateless module manager enables one of the information modules to claim  
9 the requests and to own the requests afterwards; and”

10  
11 Bavadekar pertains generally to a system and method for providing tunnel  
12 connections between entities in a messaging system. The Applicant agrees with  
13 the assessment on Page 4 of the Final Action that Bavadekar does not specifically  
14 disclose receiving a plurality of request types comprising schedule request and  
15 event drive requests. Thus, the Final Action cited Stumm and Noble for this  
16 teaching. However, in addition to the missing features noted in the Final Action,  
17 the Applicant submits that Bavadekar fails to teach or suggest at least the above  
18 revisions to claim 1.

19 Turning to Stumm and Noble, Stumm pertains to a client-server system for  
20 delivery of online information. Noble pertains to a distributed-client change-  
21 detection tool with change-detection augmented by multiple clients. Without  
22 conceding that Stumm and Noble provide the teaching for which they are cited in  
23 the rejection of claim 1, the Applicant submits that Stumm and Noble do not  
24 provide what is missing from Bavadekar to support a rejection of claim 1.

1 On at least the foregoing bases, the Applicant submits that Bavadekar,  
2 Stumm, and Noble do not support a § 103 rejection of claim 1, whether considered  
3 alone or in combination. The Applicant thus requests reconsideration and  
4 withdrawal of the § 103 rejection of claim 1.

5 **Dependent claims 3-5 and 8-10** depend from claim 1 and stand rejected on  
6 similar grounds. By virtue of this dependency, the above comments directed to  
7 claim 1 apply equally to these claims. Moreover, these claims recite features that,  
8 when taken together with those of claim 1, define devices not disclosed by  
9 Bavadekar, Stumm, and Noble.

10 Turning to **independent claims 12 and 17**, these claims are amended to  
11 clarify further features of methods and computer-readable media that are similar to  
12 those discussed above in connection with claim 1. Thus, the above comments  
13 directed to claim 1 apply equally to claims 12 and 17.

14 **Dependent claims 14-15 and 19-20** depend from claims 12 or 17 and stand  
15 rejected on similar grounds. By virtue of this dependency, the above comments  
16 directed to claim 1 apply equally to these claims. Moreover, these claims recite  
17 features that, when taken together with those of their base claim, define methods  
18 and devices not disclosed by Bavadekar, Stumm, and Noble.

19  
20 Bavadekar, Stumm, and Noble, in further view of Burd

21 As stated on Page 6 of the Final Action, claims 6, 16 and 21 stand rejected  
22 under 35 U.S.C. § 103(a) as being unpatentable over Bavadekar, Stumm, and  
23 Noble, further in view of U.S. Patent No. 6,757,900 to Burd et al. (hereinafter,  
24 “Burd”). The Applicant respectfully traverses these rejections.

1        These claims all depend from one of claims 1, 12 and 17. The Office cites  
2        Burd as teaching the additional subject matter of these dependent claims. Without  
3        conceding that Burd provides the teaching for which it is cited in the Action, the  
4        Applicant submits that Burd fails to provide the teaching missing from Bavadekar,  
5        Stumm, and Noble that is necessary to support a rejection of base claims 1, 12  
6        and 17. On at least this basis, the Applicant requests reconsideration and  
7        withdrawal of the § 103 rejections of claims 6, 16 and 21.

8

9 *Bavadekar, Stumm, Noble, and Burd in further view of Hunt*

10       As stated on Page 7 of the Final Action, claim 7 stands rejected under 35  
11       U.S.C. § 103(a) as being unpatentable over Bavadekar, Stumm, Noble, and Burd,  
12       in further view of U.S. Patent Publication No. 2002/0087657 to Hunt (hereinafter  
13       “Hunt”). The Applicant respectfully traverses the rejection.

14       This claim depends from claim 1. The Office cites Burd and Hunt as  
15       teaching the additional subject matter of this dependent claim. Without conceding  
16       that Burd and Hunt provide the teaching for which they are cited in the Action, the  
17       Applicant submits that Burd and Hunt fail to provide the teaching missing from  
18       Bavadekar, Stumm, and Noble that is necessary to support a rejection of claim 1.  
19       On at least this basis, the Applicant requests reconsideration and withdrawal of the  
20       § 103 rejection of claim 7.

21

22 *Bavadekar in view of Langseth*

23       As stated on Page 8 of the Final Action, claim 11 stands rejected under 35  
24       U.S.C. § 103(a) as being unpatentable over Bavadekar, Stumm, and Noble, further

1 in view of U.S. Patent No. 6,741,980 to Langseth et al. (hereinafter, "Langseth").  
2 The Applicant respectfully traverses the rejection.

3 This claim depends from claim 1. The Office cites Langseth as teaching  
4 the additional subject matter of this dependent claim. Without conceding that  
5 Langseth provides the teaching for which it is cited in the Action, the Applicant  
6 submits that Langseth fails to provide the teaching missing from Bavadekar,  
7 Stumm, and Noble that is necessary to support a rejection of claim 1. On at least  
8 this basis, the Applicant requests reconsideration and withdrawal of the § 103  
9 rejection of claim 11.

10

11 Bavadekar in view of Langseth in further view of Masters

12 As stated on Page 9 of the Final Action, claims 13 and 18 stand rejected  
13 under 35 U.S.C. § 103(a) as being unpatentable over Bavadekar, Stumm, and  
14 Noble in view of Langseth in further view of U.S. Patent No. 6,374,300 to Masters  
15 et al. (hereinafter, "Masters"). The Applicant respectfully traverses the rejection.

16 These claims depend from one of claims 12 and 17. The Office cites  
17 Langseth and Masters as teaching the additional subject matter of these dependent  
18 claims. Without conceding that Langseth and Masters provide the teaching for  
19 which they are cited in the Action, the Applicant submits that Langseth and  
20 Masters fail to provide the teaching missing from Bavadekar, Stumm, and Noble  
21 that is necessary to support a rejection of base claims 12 and 17.

22 More particularly, the Final Action applied column 7, lines 41-62 of  
23 Masters to claim 13. For convenience, the Applicant reproduces here the cited  
24 portion of Masters:

## Logic Overview

In FIG. 2A, an overview 122 is shown of the general logic flow for an HTTP request that does not include a Cookie identifying the actual node server that will provide access to the requested resource. Moving from a start block, the logic steps to a block 124 where a TCP/IP handshake is performed between the client 10 and the server array controller 118 at the ip address provided by the client. Advancing to a block 126, the client 10 transmits the HTTP request to the server array controller 118 without a Cookie identifying the node server that will provide access to the requested resource.

Flowing to a block 128, the server array controller 118 makes a load balancing determination and selects the optimal node server to provide access to the requested resource and routes the HTTP request to the selected node server. The server array controller 118 may employ any one of several 55 different types of load balancing methods to analyze metric information and optimally balance client HTTP requests (load demand). These load balancing methods include round trip time, round robin, least connections, packet completion rate, quality of service, server array controller packet rate, 60 topology, global availability, hops, static ratio and dynamic ratio.

This portion of Masters appears to provide a load balancing scheme among several node servers, in which HTTP requests are balanced among the several node servers. However, the Applicant submits that such a load balancing scheme neither teaches nor suggests a “stateless module manager [that] enables one of the information modules to claim the requests and to own the requests afterwards”, as recited in claim 1. Variations of this same feature are also recited in independent claims 12 and 17. In contrast to the Applicant’s recited feature, a load balancing scheme shares requests among a plurality of servers, but does not enable one of the servers to “own” the requests, as recited in the Applicant’s claims.

On at least this basis, the Applicant requests reconsideration and withdrawal of the § 103 rejections of claims 13 and 18.

1 Bavadekar, Stumm, and Noble in view of Burd, in further view of Hunt, in further  
2 view of Langseth, in further view of Masters

3 As stated on Page 10 of the Final Action, claim 22 stands rejected under 35  
4 U.S.C. § 103(a) as being unpatentable over Bavadekar, Stumm, and Noble in view  
5 of Burd, in further view of Hunt, in further view of Langseth, and in further view  
6 of Masters. The Applicant respectfully traverses the rejection.

7 **Independent claim 22** has been revised to clarify features similar to those  
8 discussed above in connection with independent claims 1, 12, and 17. Thus, the  
9 above comments directed to claims 1, 12, and 17 and the cited art of Bavadekar,  
10 Stumm, Noble, Burd, Hunt, Langseth, and Masters, apply equally to claim 22.

11

12 **Conclusion**

13 The Applicant respectfully requests reconsideration and withdrawal of the  
14 rejections of claims 1-22 and favorable action on the subject application. If any  
15 issue remains unresolved that would prevent allowance of this case, the Office is  
16 requested to contact the undersigned attorney to resolve the issue.

17

18 Respectfully Submitted,

19 Date: 25 Aug 06

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